

M-09-684

EK:MT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

C O M P L A I N T

RAFAEL ANGEL PEREZ-SEGOVIA,
also known as
"Jose Perez,"
"Geraldo Ranjel,"
"Randdi Mendez-Mendoza,"
and "Wilfredo Ortiz,"

(T. 8, U.S.C.,
§§ 1326(a) and
1326(b)(2))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MATTHEW LEW, being duly sworn, deposes and states that he is a Deportation Officer with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

On or about June 23, 2009, within the Eastern District of New York and elsewhere, the defendant RAFAEL ANGEL PEREZ-SEGOVIA, also known as "Jose Perez," "Geraldo Ranjel," "Randdi Mendez-Mendoza" and "Wilfredo Ortiz," being an alien who had previously been arrested and convicted of an aggravated felony, and was thereafter excluded and removed from the United States, and who had not made a re-application for admission to the United States to which the Secretary of the Department of Homeland

Security, successor to the Attorney General of the United States, had expressly consented, was found in the United States.

(Title 8, United States Code, Section 1326(b)(2)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Deportation Officer with ICE and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the ICE investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about June 23, 2009, the defendant, RAFAEL ANGEL PEREZ-SEGOVIA, also known as "Jose Perez," "Geraldo Ranjel," "Randdi Mendez-Mendoza" and "Wilfredo Ortiz," was arrested by the New York City Police Department ("NYPD"), 110th Precinct, in Queens, New York. PEREZ-SEGOVIA was arrested for Jostling Hand Near Pocket, in violation of Section 165.25 subsection 1 of the New York State Penal Law. The defendant used the name "Jose Perez" in connection with his arrest.

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware.

3. Subsequent to the arrest, the NYPD ran a criminal history report and found that the defendant, a citizen of Venezuela, had been previously removed from the United States on December 12, 2000.

4. The NYPD notified ICE, and ICE officials determined that on or about January 14, 1997, the defendant, RAFAEL ANGEL PEREZ-SEGOVIA, also known as "Jose Perez," "Geraldo Ranjel," "Randdi Mendez-Mendoza" and "Wilfredo Ortiz," had been convicted of Attempted Burglary in the Second Degree, in violation of Section 140.25 subsection 2 of the New York Penal Law, a Class D felony offense.

5. ICE officials also determined that on or about December 12, 2000, the defendant RAFAEL ANGEL PEREZ-SEGOVIA had been removed from the United States pursuant to an Order of Removal dated May 18, 2000.

6. An ICE official with fingerprint analysis training compared the fingerprints taken in connection with the defendant's arrest underlying his January 14, 1997 conviction; the fingerprints taken in connection with the defendant's December 12, 2000 removal; and the fingerprints taken by ICE from the defendant on June 25, 2009, and determined that all three sets of fingerprints were made by the same individual.

7. A search of ICE records has revealed that there exists no request by the defendant for permission from either the

United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after removal.

WHEREFORE, your deponent respectfully requests that the defendant RAFAEL ANGEL PEREZ-SEGOVIA, also known as "Jose Perez," "Geraldo Ranjel," "Randdi Mendez-Mendoza" and "Wilfredo Ortiz," be dealt with according to law.



MATTHEW LEW
Deportation Officer
United States Immigration and
Customs Enforcement

Sworn to before me this
13th day of July, 2009

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK